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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

GEORGE KNUCKLES AND SHIQUANDA KNUCKLES	*	5:09-cv-01999
VERSUS	*	JUDGE DONALD E. WALTER
LIBBEY, GLASS, INC.	*	MAGISTRATE JUDGE HORNSBY
	*	

MEMORANDUM RULING

Before the Court is a Motion for Summary Judgment filed on behalf of Defendant, Libbey Glass, Inc. (“Libbey”). [Doc. # 28]. Plaintiffs, George and Shiquanda Knuckles (collectively “the Knuckles”), have not filed an opposition to the motion for summary judgment. For the reasons assigned below, the Motion for Summary Judgment [Doc. # 28] is **GRANTED**. Plaintiffs’ claims against Libbey are **DISMISSED WITH PREJUDICE**.

SUMMARY JUDGMENT STANDARD

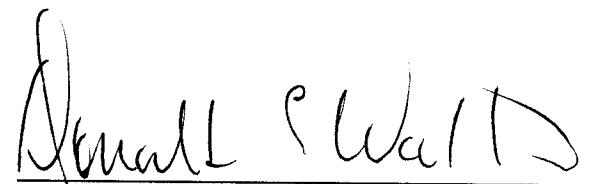
Federal Rule of Civil Procedure 56(a) directs that a court “shall grant summary judgment if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.”¹ A fact is “material” if it may affect the outcome of the suit under governing law. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986). A dispute is “genuine” if there is sufficient evidence so

¹ Rule 56 was amended effective December 1, 2010. Per the comments, the 2010 amendment was intended “to improve the procedures for presenting and deciding summary-judgment motions and to make the procedures more consistent with those already used in many courts. The standard for granting summary judgment remains unchanged.” Therefore, the case law applicable to Rule 56 prior to its amendment remains authoritative, and this court will rely on it accordingly.

intentional action. There is no evidence in the record to suggest a genuine dispute exists as to whether Libbey acted intentionally.

CONCLUSION

Because the Knuckles have not offered evidence to show a genuine dispute as to a material fact remains, summary judgment in this case is appropriate. Libbey's Motion for Summary Judgment [Doc. # 28] is **GRANTED**. The Knuckles' claims against Libbey are **DISMISSED WITH PREJUDICE**.



Donald E. Walter
DONALD E. WALTER
UNITED STATES DISTRICT JUDGE